

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

GRACE PRESBYTERIAN CHURCH OF SPRINGFIELD (CORP.) AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, SPA 73-L-152-03 Appl. under Sect. 3-303 of the Zoning Ordinance to amend SP 73-L-152 previously approved for a place of worship with child care to permit a telecommunications facility and site modifications. Located at 7434 Bath St. and 7409 Grace St., Springfield, 22150, on approx. 4.64 ac. of land zoned R-3. Lee District. Tax Maps 80-3 ((2)) (54) 1 and 9; and 80-3 ((1)) 1D. Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on March 9, 2016; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is Grace Presbyterian Church of Springfield.
2. There is a favorable recommendation from staff and the Board adopts the rationale in the staff report.
3. The antennas will be invisible within the steeple of the church and the equipment compound will be screened at ground level with a board-on-board fence.
4. There will not be a significant negative impact on anyone. With the proposed development conditions, any impact is satisfactorily mitigated.
5. The applicant has read, understand, and concurs with the proposed development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Grace Presbyterian Church of Springfield Corp. and Cellco Partnership d/b/a Verizon Wireless, only and is not transferable without further action of this Board, and is for the location indicated on the application, 7420 and 7437 Bath Street (4.64 acres) and is not transferable to other land.

2. This Special Permit is granted only for the purpose(s), structures and/or use(s) (a church, child care center, former single family dwelling used as administrative and meeting space, and telecommunications facility with antennas and related equipment) indicated on the special permit plat titled, "Verizon Wireless – Lynbrook, Special Permit," prepared by Jon K. Erickson, PE, dated August 5, 2014, as revised through December 4, 2015, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of seats in the main worship area shall be 396.
6. The maximum daily enrollment for the child care facilities shall be 76.
7. Parking shall be provided as shown on the Special Permit Plat. All parking shall be on Lots 1D and 9 (existing church parking lot), including parking for uses on Lot 1.
8. The maximum hours of operation for the child care center shall be from 9 am to noon, Monday through Friday.
9. All existing vegetation shall be preserved and shall be used to meet the Transitional Screening requirements.
10. The barrier requirements shall be waived. The telecommunications compound shall be screened with an 8-foot tall board on board wood fence as shown on the special permit plat.
11. The maximum hours for use of the structure on Lot 1 shall be from 8:00 am to 10 pm, daily.


12. The dwelling on Lot 1 shall only be used for administrative purposes and meeting space for small groups. No worship services shall be held in the dwelling.

These development conditions incorporate and supersede all previous development conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 6-0. Mr. Beard was absent from the meeting.

A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals